

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**James L Maseth
Michelle E Maseth**
Debtor(s)

Bankruptcy Case No.: 20-20230-CMB
11/5/2020
Chapter: 13
Docket No.: 39 – 35, 36
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 9/1/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1185.00 as of 11/2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: IRS Cl. #9 .
- ☒ H. Additional Terms: Duplicative IRS debt in section 4.7 is stricken.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.


B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: November 10, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
James L Maseth
Michelle E Maseth
Debtor(s)

Case No. 20-20230-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Nov 10, 2020

User: dsaw
Form ID: 149

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Total Noticed: 31

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 12, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ James L Maseth, Michelle E Maseth, 512 Silver Hollow Drive, Baden, PA 15005-2354
15187042	+ Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15208213	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853
15196005	Nelnet on behalf of Trellis Company, Trellis Company, P.O Box 83100, Round Rock TX 78683-3100
15225271	++ PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982 address filed with court:, PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101
15187052	++ PNC BANK RETAIL LENDING, P O BOX 94982, CLEVELAND OH 44101-4982 address filed with court:, Pnc Mortgage, Po Box 8703, Dayton, OH 45401
15214910	UPMC Health Services, PO Box 1123, Minneapolis MN 55440-1123
15187056	+ Zwicker & Associates PC, 3220 Tillman Drive, Suite 215, Bensalem, PA 19020-2028

TOTAL: 8

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Nov 11 2020 04:03:35	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15187040	+ Email/Text: backoffice@affirm.com	Nov 11 2020 03:53:00	Affirm Inc, 650 California Street, Floor 12, San Francisco, CA 94108-2716
15222368	Email/PDF: resurgentbknofications@resurgent.com	Nov 11 2020 04:02:17	Ashley Funding Services, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15187043	Email/Text: Bankruptcy.RI@Citizensbank.com	Nov 11 2020 03:52:00	Citizens Bank, 1 Citizens Drive, Riverside, RI 02915
15194234	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 11 2020 04:03:33	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15187041	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Nov 11 2020 04:00:50	Capital One Bank Usa NA, Po Box 30281, Salt Lake City, UT 84130-0281
15187044	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Nov 11 2020 03:52:00	Comenity Bank / Avenue, Po Box 182789, Columbus, OH 43218-2789
15187045	Email/Text: mrdiscen@discover.com	Nov 11 2020 03:52:00	Discover Financial Services LLC, PO Box 15316, Wilmington, DE 19850
15190283	Email/Text: mrdiscen@discover.com	Nov 11 2020 03:52:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15223776	+ Email/Text: kbarkley@bernsteinlaw.com	Nov 11 2020 03:53:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15187047	Email/Text: sbse.cio.bnc.mail@irs.gov	Nov 11 2020 03:52:00	Internal Revenue Service, Insolvency Unit, PO

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			Box 628, Pittsburgh, PA 15230
15187049	Email/PDF: ais.chase.ebn@americaninfosource.com	Nov 11 2020 04:00:50	JPMorgan Chase Bank Card, Po Box 15298, Wilmington, DE 19850
15204593	Email/PDF: resurgentbknotifications@resurgent.com	Nov 11 2020 04:02:17	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15187050	+ Email/Text: electronicbkydocs@nelnet.net	Nov 11 2020 03:53:00	Nelnet Loans, Po Box 82561, Lincoln, NE 68501-2561
15194113	Email/PDF: cbp@onemainfinancial.com	Nov 11 2020 04:03:30	ONEMAIN, P.O. BOX 3251, EVANSVILLE, IN 47731-3251
15187051	+ Email/PDF: cbp@onemainfinancial.com	Nov 11 2020 04:02:11	Onemain Financial, Po Box 1010, Evansville, IN 47706-1010
15225271	Email/Text: Bankruptcy.Notices@pnc.com	Nov 11 2020 03:52:00	PNC Bank, N.A., P.O. Box 94982, Cleveland, OH 44101
15187052	Email/Text: Bankruptcy.Notices@pnc.com	Nov 11 2020 03:52:00	Pnc Mortgage, Po Box 8703, Dayton, OH 45401
15200962	Email/Text: RVSVCBICNOTICE1@state.pa.us	Nov 11 2020 03:53:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946
15187053	+ Email/PDF: gecsed@recoverycorp.com	Nov 11 2020 04:02:12	Syncb / Amazon, Po Box 965015, Orlando, FL 32896-5015
15187054	+ Email/PDF: gecsed@recoverycorp.com	Nov 11 2020 04:02:13	Syncb / PayPal Credit, Po Box 965005, Orlando, FL 32896-5005
15221821	+ Email/PDF: gecsed@recoverycorp.com	Nov 11 2020 04:03:32	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15187412	+ Email/PDF: gecsed@recoverycorp.com	Nov 11 2020 04:00:49	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15187055	+ Email/Text: wfmelectronicbankruptcyntifications@verizonwireless.com	Nov 11 2020 03:52:00	Verizon, 500 Technology Drive, Suite 550, Saint Charles, MO 63304-2225
15220654	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Nov 11 2020 04:03:43	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 25

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC Mortgage, A Division of PNC Bank, National Ass
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15187046	*+	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
15187048	*+	Internal Revenue Service, William Moor-Head Building, 1000 Liberty Avenue, Room 806, Pittsburgh, PA 15222-4027

TOTAL: 1 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains

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the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 12, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 10, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC Mortgage A Division of PNC Bank, National Association bnicholas@kmlawgroup.com
Daniel P. Foster	on behalf of Joint Debtor Michelle E Maseth dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Daniel P. Foster	on behalf of Debtor James L Maseth dan@mrdebtbuster.com katie@mrdebtbuster.com;kaitlyn@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 6